



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Malhotra et al.

Title: Magnetic Recording Medium Having Novel Underlayer Structure

Serial No.: 10/761,820

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Docket No.: K2003010

Commissioner for Patents

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SUPPLEMENTAL DECLARATION OF GERARDO BERTERO

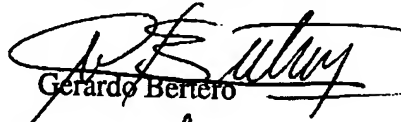
I, Gerardo Bertero, Declare:

1. I am the same Gerardo Bertero who executed declarations on August 11, 2006 and September 22, 2006 that were submitted in the present application.
2. In the interest of completeness, I would like to make a few additional comments concerning Cr alloys.
3. Kanbe col. 20, lines 31-32 refers to "a Cr-40 at % MoB alloy ... used for the second underlayer." At Col. 22, line 36, Kanbe refers to a "Cr-50 at % V alloy." At Col. 23, line 53, Kanbe refers to a "Cr-40 at. % Mo-8 at. % B underlayer." V and Mo, like Cr, are bcc metals. They have properties similar to that of Cr. The statements I made in my previous declarations remain true, namely that one skilled in the art would not expect a boron concentration in the above-mentioned Cr alloy compositions less than about 2% to appreciably shrink the alloy grain size.

4. Kanbe also mentions an underlayer comprising Co with Cr as a minor component that has a hcp (hexagonal close-packed) crystal structure. See, for example, col. 6, line 63-col. 7, line 10. Kanbe also mentions adding Cr to his hcp Co magnetic layer alloy. See col. 4, lines 5-13. These alloys are hcp and are not relevant to Applicants' claimed bcc (body centered cubic crystal structure) third underlayer.

5. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,


Gerardo Bertero
Date: Sept. 29, 2006